

42390.P11779

DA
PATENT
HJ

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Application of:

Rohan Coelho

Serial No.: 10/039,210

Filed: January 4, 2002

For: REAL-TIME PRESCRIPTION TRANSACTION
WITH ADJUDICATION ACROSS A NETWORK

Commissioner for Patents
BOX DAC
Washington, D.C. 20231

Examiner: Unassigned

Art Unit: 2166

RECEIVED

OCT 22 2002

OFFICE OF PETITIONS

REQUEST FOR RECONSIDERATION OF PETITION UNDER 37 CFR 1.47(b)

Sir:

In response to the Decision Refusing Status under 37 C.F.R. 1.47(b) mailed September 3, 2002, Agent for the Rightful Assignee, Intel Corporation, hereby requests that the above-identified patent application be allowed to continue on behalf of and as agent for sole refusing inventor, Rohan Coelho. The noted deficiency has been corrected and the following supporting documents are attached hereto.

(1) Attached hereto is a combined Declaration and Power of Attorney with an additional page signed by the Agent for the Rightful Assignee, Intel Corporation, on behalf of non-signing inventor, Rohan Coelho.

(2) Also attached hereto is the Declaration of Steven P. Skabrat providing proof of pertinent facts concerning the refusal of sole inventor Rohan Coelho to join in the patent application, facts supporting Mr. Skabrat's authority to act as Agent for the Rightful Assignee in

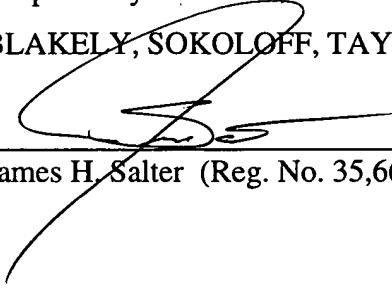
the above-referenced patent application, and execute the Addendum to the Declaration and Assignment for filing in the U.S. Patent and Trademark Office.

If there are any additional charges, please charge them to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 10/15/ 2002


James H. Salter (Reg. No. 35,668)

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025-1026
(408) 720-8300

FIRST CLASS CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Commissioner for Patents, BOX DAC, Washington, D.C. 20231 on October 15, 2002.

Barbara Skliba

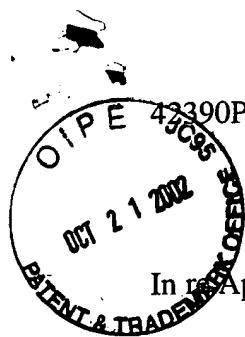
Name of Person Mailing Correspondence

Barbara Skliba

Signature

10/15/02

Date



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Rohan Coelho

Serial No.: 10/039,210

Filed: January 4, 2002

For: **REAL-TIME PRESCRIPTION TRANSACTION
WITH ADJUDICATION ACROSS A NETWORK**

BOX MISSING PARTS

Assistant Commissioner for Patents
Washington, D.C. 20231

Examiner: Unassigned

Art Unit: 2166

DECLARATION OF STEVEN P. SKABRAT

Dear Sir:

I, Steven P. Skabrat, having personal knowledge of the facts set forth herein, hereby declare as follows:

1. I am an Attorney of Record for the above-identified patent application entitled "Real-Time Prescription Transaction with Adjudication Across a Network", an employee of Intel Corporation, a member of the Intel Legal Team, and authorized by Intel Corporation to act on behalf of the corporation.

RECEIVED

2. The above-identified patent application names the inventor as: Rohan Coelho.

OCT 22 2002

OFFICE OF PETITIONS

3. Rohan Coelho was employed by Intel Corporation on February 16, 1989 .

4. On February 16, 1989, Rohan Coelho signed an Employee Agreement (copy attached hereto as Exhibit A) that states, "...I will promptly discuss and assign to Intel, my entire rights in all designs, trademarks, copyrights, discoveries, formulae, processes, manufacturing techniques, trade secrets, inventions, improvements, ideas or copyrightable works relating to my work at Intel..." (Intel Corporation Employee Agreement, page 1, section 2)
5. In the normal course of his employment at Intel, Rohan Coelho developed the invention, which is the subject of the present patent application. Mr. Coelho documented the invention in an invention disclosure document dated April 2, 2001. Mr. Coelho submitted the invention disclosure to the Intel Legal Team on April 9, 2001. The Intel Invention Disclosure was then forwarded by Intel Legal Team member Michael Crick to Blakely, Sokoloff, Taylor & Zafman LLP for preparation of a patent application on May 2, 2001, and a file was opened under attorney docket matter number P11779 entitled "Business Method to Enable a Physician to Adjudicate a Prescription at the Point of Care".
6. Rohan Coelho worked cooperatively with an associate at Blakely, Sokoloff, Taylor & Zafman LLP, Lisa Benado, under the supervision of Jim Salter, also an Attorney of Record in this patent application. A final draft entitled "Real-Time Prescription Transaction with Adjudication Across a Network", an Inventor Declaration and Power of Attorney form, and an Assignment were forwarded to Mr. Coelho on September 7, 2001.
7. Rohan Coelho's employment at Intel Corporation terminated on August 16, 2001.

8. Rohan Coelho has since refused to respond to repeated attempts to obtain a signed Inventor Declaration and Assignment.
9. I believe that Rohan Coelho is under an obligation to assign the subject invention to the rightful assignee, Intel Corporation, and has agreed in writing to assign the subject invention to Intel Corporation. I further believe that the rightful assignee, Intel Corporation, has shown sufficient proprietary interest in the matter justifying continued prosecution of this patent application. As an employee of Intel Corporation, I believe I have sufficient legal basis to act on behalf of and as agent for sole uncooperative inventor, Rohan Coelho. This action is necessary to preserve the rights of the parties and to prevent irreparable damage.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with knowledge that willful, false statements and the like may jeopardize the validity of the application, or any patent resulting therefrom.

Respectfully submitted,

Date: 10/3, 2002



Steven P. Skabrat (Reg. No. 36,279)

CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Commissioner for Patents, BOX DAC, Washington, D.C. 20231 on 10/15/02.

Barbara Skliba
Name of Person Mailing Correspondence

Barbara Skliba
Signature of Person Mailing Correspondence